

**LYNCHBURG CITY COUNCIL**  
**Agenda Item Summary**

MEETING DATE: **December 10, 2002**

AGENDA ITEM NO.: **13**

CONSENT:

REGULAR: **X**

CLOSED SESSION:  
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Subdivision Ordinance Revision, Section 24.1 of the City Code.**

RECOMMENDATION: Approval of the requested Subdivision Ordinance Revision.

SUMMARY: Section 15.2-2241 of the Virginia State Code grants local governments the general authority to administer and enforce subdivision ordinances. Having house number assignments indicated on and digital submission of final plats of five (5) lots or more would improve the building permit process and improve customer service.

PRIOR ACTION(S):

November 13, 2002: Planning Division recommended approval of the Subdivision Ordinance Revision  
Planning Commission recommended approval (7-0) of the Subdivision Ordinance Revision

FISCAL IMPACT: N/A

CONTACT(S):

Rachel Flynn / 847-1508, ext. 253  
Tom Martin / 847-1508, ext. 226

ATTACHMENT(S):

? Resolution  
? PC Report  
? PC minutes

REVIEWED BY: lkp

## ORDINANCE

### A ORDINANCE TO AMEND AND REENACT SECTION 24.1-42 OF THE CITY CODE RELATING TO THE SUBDIVISION ORDINANCE.

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That Section 24.1-42 of the Code of the City of Lynchburg be, and the same is hereby amended and reenacted as follows:

#### Sec. 24.1-42. Final plat.

If no preliminary plat is submitted in accordance with section 24.1-39, the submission of a final plat shall constitute the official filing of a proposed subdivision. Twenty (20) copies of the final plat shall be submitted to the city for final approval and subsequent recording. Blue or black line prints (surveyor's copies) shall be clearly and legibly drawn at a scale of not more than one hundred (100) feet to the inch on sheets having a maximum size of seventeen (17) inches by twenty-two (22) inches.

For any subdivision of five (5) lots or more the digital data associated with the creation of the subdivision plat shall be provided to the agent in a format approved by the city. The digital data shall be "georeferenced" to the State Plane Coordinate System, North American Datum 1983, Virginia South Zone #4502. The data shall be certified by a licensed engineer or surveyor for accuracy and correctness. Where the subdivider can show that the subdivision plat was not created using Computer Aided Design (CAD) software, or adherence to these requirements would produce unnecessary hardships the agent may grant an exception in whole or in part to the requirements for digital data submission.

The final plat shall include the following information and all information which is required on the preliminary plat shall be provided on the final plat:

- (a) Name of subdivision, city, state, owner, true and/or magnetic north point and scale of drawing and number of sheets. If shown on more than one (1) sheet, matched lines shall clearly indicate where the several sheets join. A space shall be reserved for the signature of the city engineer and the clerk of council.
- (b) Location of proposed subdivision by an insert map at a scale of not less than two (2) inches equal one (1) mile indicating adjoining roads, their names and numbers, counties, subdivisions and other landmarks.
- (c) A boundary survey with an error of closure within the limits of one (1) in five thousand (5,000) related to the magnetic meridian and showing the location of all monuments and their type of material within the boundary of the subdivision. The survey may be related to the U. S. Coast and Geodetic Survey state grid north if the coordinate of two (2) adjacent corners of the subdivision are shown.
- (d) Certificates signed by the surveyor setting forth the source of title of the owners of the land subdivided and the place of record of the last instrument in the chain of title.
- (e) A statement to the effect that the subdivision as it appears on this plat is with the free consent and in accordance with the desires of the owners, proprietors and trustees, if any, which shall be signed by the owners, proprietors and trustees, if any, and shall be duly acknowledged before some officer authorized to take acknowledgements to deeds.
- (f) When the subdivision consists of land acquired from more than one (1) source of title the outlines of the various tracts shall be indicated by dotted lines and identification of the respective tracts shall be placed on the plat.
- (g) The accurate location and dimensions by bearings and distances with all curve data on all lots and street lines, boundaries of all proposed or existing easements and utilities, existing parks, school sites or other public areas, the number and area of all building lots, all existing public and private streets, their names, numbers and widths, water courses and their names, delineation of flood plain districts, names of owners and their property

lines within the boundary of the subdivision and the names of owners and their property lines adjoining said boundaries.

(h) All dimensions shall be shown in feet and decimals of a foot to the closest two (2) decimal points, all bearings shall be shown in degrees and minutes to the nearest minute.

(i) The data of all curves along the street frontages shall be shown in detail at the curve or in a curve data table containing the following; delta angle, radius, arc, tangent, chord and chord bearings.

(j) Any restrictions imposed by the subdivider shall be shown on the plat, or on attached sheet(s) in which case it shall be stated on the plat that deed restrictions are on the said attached sheet(s).

(k) Where public water and or sewer systems are to be provided it shall be indicated on the plat and shall reflect whether such facilities will be owned by the City of Lynchburg or privately owned, indicating the name or title of the owner.

(l) A statement as to whether utilities will be placed overhead or underground.

A house number shall be assigned to each lot created by the subdivision as provided in section 35-114 and chapter 35, article VII. of the city code.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified:

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Clerk of Council

246L

**THE DEPARTMENT of COMMUNITY PLANNING & DEVELOPMENT**  
City Hall, Lynchburg, VA 24504 434-847-1508

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To: Planning Commission

From: Planning Division

Date: November 13, 2002

**RE: SUBDIVISION ORDINANCE AMENDMENT – SECTION 24.1 OF THE CITY CODE DEALING WITH REGULATIONS RELATING TO REQUIRING DIGITAL SUBMISSION OF FINAL SUBDIVISION PLATS OF FIVE (5) LOTS OR MORE AND REQUIRING THAT THE HOUSE NUMBER ASSIGNED TO EACH LOT CREATED BY A SUBDIVISION BE INCLUDED ON THE FINAL PLAT.**

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**SUMMARY**

- ✍ Section 15.2-2241 of the Virginia State Code grants local governments the general authority to administer and enforce subdivision ordinances.
- ✍ Digital data submission of final subdivision plats would reduce the amount of time required to map new subdivisions in the City's Geographic Information System resulting in improvements to the building permit process and improved customer service.
- ✍ City staff would assign house numbers during the review of the preliminary subdivision plat. House number assignments on the final subdivision plat would improve the building permit process and improve customer service.

The Planning Division recommends approval of the Zoning Ordinance amendment.

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**BACKGROUND**

The City's Inspections Division is currently reviewing building permit software to replace its existing system. Representatives from the Inspections Division, Planning Division, Public Works, and Information Technology reviewed and have recommended changes to the Subdivision Ordinance that would improve the building permitting process. Of these recommendations the two that would have the greatest impact would be digital submission of subdivision plats of five (5) lots or more and having house number assignments indicated on the final subdivision plat.

The receipt of recordation of a final approved subdivision plat is what initiates changes in the City's various databases that track property. Typically a developer may record the final subdivision plat and apply for building permits in the same day. This does not allow adequate time for the mapping of the newly created parcels and entering of address assignments. The end result has been to have the permit technician input "dummy numbers" into the permitting software to allow for the issuance of permits. This process has allowed permits to be issued in a timely manner, but is not appropriate for permit tracking or assessment purposes. The digital submission of subdivision plats of five (5) lots or more and house number assignments being indicated on final plats would not totally alleviate but would greatly improve this situation.

**PLANNING DIVISION RECOMMENDATION**

Based on the preceding information and analysis, the Planning Division recommends the following:

**That the Planning Commission recommends to City Council approval of the proposed amendment to Section 24.1 of the City Code relating to requiring digital submission of final subdivision plats of five (5) lots or more and requiring that the house number assigned to each lot created by a subdivision be included on the final subdivision plat.**

This matter is hereby offered for your consideration.

William T. Martin  
City Planner

pc: Mr. L. Kimball Payne, III, City Manager

Mr. Walter C. Erwin, City Attorney  
Ms. Rachel O. Flynn, Director of Community Planning & Development  
Mr. Bruce A. McNabb, Director of Public Works  
Mr. Robert D. DeJarnette, Fire Marshal  
Mr. J. Lee Newland, City Engineer  
Mr. Gerry L. Harter, Traffic Engineer  
Mr. Karl Cooler, Building Official  
Mr. Arthur L. Tolley, Zoning Official  
Mr. Robert S. Fowler, Zoning Official

## **APPENDIX**

Proposed amended Subdivision Ordinance text

THESE MINUTES HAVE NOT BEEN REVIEWED OR APPROVED BY THE PLANNING COMMISSION

Consideration of amending the provisions of the Subdivision Ordinance (Section 24.1 of the City Code) to allow; requiring that address assignments for newly created lots be indicated on the final subdivision plat, and requiring that final subdivision plats of five (5) lots or more be submitted in a digital format if prepared using Computer Aided Design (CAD) or comparable software.

Mr. Martin explained to the Commission that this change would allow the digital submission of plats of five lots or more. He said this process would improve the ability of City staff to actually map the parcels in the GIS system, assign the tax map numbers and addresses, and speed up the process for the petitioners. He said having the address noted on the plat made the staff assign the address during the preliminary review of the project. He added that once a plat was approved and recorded, and the address was assigned, hopefully the level of service provided to the customer would improve.

Mr. Martin continued by saying that the revision to the Subdivision Ordinance was a result of meetings of a sub-team of the permitting software group who was looking for a system that would produce building and soil and erosion control permits. He said one of the items targeted during this search was the need for assigning addresses and tax map numbers to properties after a plat had been approved and recorded. He said what could happen currently is that a subdivision plat could be approved, signed, recorded, and then a building permit be requested on the same day. He said at that point the City staff has not had time to assign an address to the property, map the parcel in the GIS system, or assign a tax map number. He added that since all of the systems feed off one another, no record of that parcel was available in the permitting system, and forced the Permit Technicians to assign "dummy numbers" to these permits. He said it was hard to keep track of these permit and sometimes the City lost tax revenue if they were not caught quickly.

Mr. Martin said this was the first of a series of amendments to the Subdivision Ordinance that the City wanted to propose. He said they wanted to meet with local surveyors and developers before those proposed changes were presented to the Planning Commission and City Council.

Commissioner Wilkins noted that initially she was concerned about the smaller surveyors not being able to submit plats to the City digitally, but noticed the hardship clause included in the proposed changes and was satisfied with the new wordage.

Mr. Martin said they did not want to prohibit anyone from working in the City because of this proposed change. He said if the business was capable of providing digital information, the City wanted it to do so. He said he had spoken to four or five of the larger firms in the City and they do not have a problem with submitting digital files to the department.

After further discussion, Commissioner Wilkins made the following motion, which was seconded by Commissioner Worthington, and passed by the following vote:

"That the Planning Commission recommends to City Council approval of the proposed amendments to Section 24.1 of the City Code relating to requiring digital submission of final subdivision plats of five (5) lots or more and requiring that the house number assigned to each lot created by a subdivision be included on the final subdivision plat."

AYES:	Dahlgren, Echols Flint, Moore, Pulliam Wilkins, Worthington	7
NOES:		0
ABSTENTIONS:		0